

cc P#3 5-26-86
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RESOLUTION NO. 23-86

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
NAVAJO COUNTY ADOPTING AN AMENDMENT TO
THE NAVAJO COUNTY ZONING ORDINANCE

The Board of Supervisors of Navajo County does resolve as follows:

SECTION 1. The Board of Supervisors does hereby declare and determine the following recommended amendment was duly given and published, that a public hearing was duly held on the 20 day of March, 1986, and that the public necessity, convenience and general welfare and good zoning practice require that the following amendment and change be made.

SECTION 2. The Board of Supervisors hereby adopts the change and amendment of the text of Sections 1817 (adding) & 2302, entitled Time Share and definitions of the Navajo County Zoning Ordinance to read as follows:

"See attached"

SECTION 3. The Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED this 25 day of March, 1986.


Chairman, Navajo County
Board of Supervisors

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Board of Supervisors of Navajo County at a regular/special meeting thereof held on the 25 day of March, 1986.


Clerk of the Board

ATTACHMENT

Be it approved by the Board of Supervisors: Section 1817. Time Share Projects.

Time Share Use, Time Share Estate and Conversion of Existing Structures, Buildings or Dwelling Units to A Time Share Project, shall be subject to the minimum requirements of the zoning district established; in addition are subject to regulations as follows:

1. A site plan shall be submitted for any time share project, and shall be processed pursuant to the provision of Article 13, except that the minimum requirements of the established zoning district shall control where in conflict with said Article 13.
2. A public hearing in accordance with Article 22 shall be conducted by the Planning Commission and the Board of Supervisors before a time share project can be granted. In order to grant site plan approval, the findings of the Commission must be that establishment of project applied for will not, under circumstance of the particular situation, be incompatible with the existing neighborhood and would introduce or place into a neighborhood a character of property or use which would clearly be detrimental to property values in that neighborhood.
3. A letter explaining the services to be made available to time-share interest owners, provisions for maintenance, method of assessments and tax collection of time intervals or fractional interest, formation and irrevocable share of the homeowners association, health and sanitation procedures, rules of conduct, provisions for assessment of damages, ownership of facilities, procedures for termination of the project, and provisions for access to financial records and other information as necessary to insure protections to surrounding properties, shall be submitted.
4. Further should the Arizona Real Estate Division, as per §32-2197.06 A.R.S., for any reason not issue the real estate report, except as exempt, then the time share approvals shall be void until said real estate report is written, or otherwise provided by laws applicable. The property is not limited from other uses consistent with the provisions of the zoning district or approved site plan, but not for time share purposes.

Further be it enacted by the Planning Commission:

Section 2302 Definitions: (Re-numbered as required)

2. "Time-share estate" means a right of occupancy in a time-share project which is coupled with an estate in the real property.
3. "Time-share interval" means a time-share estate, a time-share use or a time-share period.
4. "Time-share projects" means a project in which a purchaser receives the right in perpetuity, for life or for a term of years to the recurrent,

exclusive use or occupancy of a lot, parcel, unit or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided.

5. "Time-share use" means a license or contractual or membership right of occupancy in a time-share project which is not coupled with an estate in the real property.